

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TODD THURSTON,

Plaintiff,

v.

NANCY A. BERRYHILL,

Defendant.

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Case No. 18-cv-12744

UNITED STATES DISTRICT COURT JUDGE  
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE  
ELIZABETH A. STAFFORD

**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION [#14], GRANTING DEFENDANT’S MOTION FOR  
SUMMARY JUDGMENT [#13], AND DENYING PLAINTIFF’S MOTION  
FOR SUMMARY JUDGMENT [#10]**

This matter is before the Court on Plaintiff and Defendant’s cross-motions for summary judgment. Dkt. No. 10; Dkt. No. 13. The Court referred the matter to Magistrate Judge Elizabeth A. Stafford, who issued a Report and Recommendation on June 10, 2019 Granting Defendant’s Motion and Denying Plaintiff’s Motion. Dkt. No. 14. Neither party has filed an objection to the Magistrate Judge’s Report and Recommendation, and the time for doing so has expired. *See* 28 U.S.C. § 636(b)(1)(C) (“Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by the rules of the court.”). Upon review of the parties’ briefs and the Magistrate Judge’s Report and

Recommendation, this Court concludes that the Magistrate reached the correct decision.

Accordingly, the Court ACCEPTS and ADOPTS Magistrate Judge Stafford's June 10, 2019 Report and Recommendation [#14] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary Judgment [#13] is hereby GRANTED and Plaintiff's Motion for Summary Judgment [#10] is DENIED.

IT IS SO ORDERED.

Dated: June 26, 2019

s/Gershwin A. Drain  
HON. GERSHWIN A. DRAIN  
United States District Court Judge

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, June 26, 2019, by electronic and/or ordinary mail.

s/Teresa McGovern  
Case Manager